

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

DOUGLAS J. HORN,

Plaintiffs,

-vs-

MEDICAL MARIJUANA, INC.,
DIXIE ELIXIRS AND EDIBLES,
RED DICE HOLDINGS, LLC,
and DIXIE BOTANICALS,

Defendants.

DECLARATION

Case No. 1:15-cv-00701

Roy A. Mura, Esq. declares the following, pursuant to 28 USC §1746, under penalty of perjury:

1. I am an attorney at law, duly admitted to practice in the United States District Court for the Western District of New York and am the managing member of Mura & Storm, PLLC, attorneys for the defendants, Medical Marijuana, Inc., (“MMI”), and Red Dice Holdings, LLC (“RDH”) (or collectively “MMI/RDH”) in the above-captioned matter. As such, I am fully familiar with the facts and circumstances set forth in this declaration.

2. I make and submit this declaration in support of MMI/RDH’s motion in limine, precluding or limiting plaintiff’s proposed trial exhibits and precluding or limiting testimony from plaintiff’s proposed witnesses, pursuant to the court’s final pretrial order.

3. In support of this motion, I annex the following exhibits:

- Exhibit A – Defendant MMI/RDH’s Demand for Production of Documents Pursuant to Fed. R. Civ. P. Rule 34, dated May 18, 2016
- Exhibit B – Excerpts of Dr. Graham deposition transcript, December 1, 2017, pp. 93 and 94

- Exhibit C – Declaration of defendant's expert, Dr. Cindy Orser

4. Based upon the foregoing and the accompanying memorandum of law, MMI/RDH requests that the Court preclude or limit plaintiff's proposed trial exhibits and preclude or limit testimony from plaintiff's proposed witnesses, as set forth in the accompanying memorandum of law.

DATED: Buffalo, New York
September 25, 2020

/s/Roy A. Mura
Roy A. Mura, Esq.

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cc: All parties via ECF